

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

|                             |   |                                      |
|-----------------------------|---|--------------------------------------|
| <b>WILLIAM R. BRANCH,</b>   | : | <b>CIVIL ACTION NO. 1:00-CV-1728</b> |
|                             | : |                                      |
| <b>Plaintiff</b>            | : | <b>(Judge Conner)</b>                |
|                             | : |                                      |
| <b>v.</b>                   | : |                                      |
|                             | : |                                      |
| <b>MR. RUSSIAN, et al.,</b> | : |                                      |
|                             | : |                                      |
| <b>Defendants</b>           | : |                                      |

**ORDER**

AND NOW, this 17th day of February, 2005, upon consideration of plaintiff's second motion for reconsideration<sup>1</sup> of the memorandum and order of court granting defendants' motion for summary judgment<sup>2</sup> (Doc. 224; see also Docs. 226, 227), see FED. R. CIV. P. 59(e), and it appearing that plaintiff requests a period of thirty days in which to file a brief in support of the motion, see L.R. 1.3, 7.5, it is hereby ORDERED that:

1. Plaintiff shall file a brief in support of the second motion for reconsideration on or before March 16, 2005. Failure to file a timely brief in support will result in the motion being deemed withdrawn.

---

<sup>1</sup> The motion was addressed and sent to the chambers of the undersigned. The court reminds plaintiff that all documents to be filed of record should be directed only to the office of the Clerk of Court. See FED. R. CIV. P. 5(e).

<sup>2</sup> Although the motion was not filed of record within ten days after the entry of judgment, the motion indicates that it was provided to prison authorities for mailing within this period. See FED. R. CIV. P. 6, 59(e) (stating that motions for reconsideration must be filed within ten days of judgment); Longenette v. Krusing, 322 F.3d 758, 761-65 (3d Cir. 2003) (discussing "prison mailbox rule whereby the date on which a prisoner transmitted documents to prison authorities [is] considered the actual filing date") (citing Houston v. Lack, 487 U.S. 266 (1988)).

2. Defendants shall file a brief in opposition to the second motion for reconsideration within twenty (20) days after service of plaintiff's brief in support.
3. Plaintiff shall be permitted to file a brief in reply to the brief in opposition within ten (10) days after service of defendants' brief in opposition.
4. No further briefs shall be filed without leave of court.
5. No extensions of the briefing schedule with respect to the second motion for reconsideration shall be granted absent exceptional circumstances.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge